

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	CASE NO. CR01-131-JCC
)	
Plaintiff,)	
)	
v.)	SUMMARY REPORT OF U.S.
)	MAGISTRATE JUDGE AS TO
CHRISTOPHER NEAL,)	ALLEGED VIOLATIONS
)	OF SUPERVISED RELEASE
Defendant.)	
_____)	

An initial hearing on supervised release revocation in this case was scheduled before me on February 23, 2007 at the same time as the change of plea hearing in Case No. CR 06-107 JCC. The United States was represented by AUSA John J. Lulejian and the defendant by Anna M. Tolin. The proceedings were digitally recorded.

Defendant had been sentenced on or about October 19, 2001 by the Honorable Barbara Jacobs Rothstein and sentenced to 41 months custody, 3 years supervised release.

The conditions of supervised release included the standard conditions plus the requirements that defendant not possess any firearm or destructive devices, submit to mandatory drug testing, participate in a substance abuse program, abstain from alcohol, submit to search, participate in a

01 mental health program, pay restitution in the amount of \$3,000, provide access to financial
02 information, maintain a single checking account for all financial transactions, provide probation
03 officer with information about any business interests, disclose all assets and liabilities and not
04 dispose of any assets without consulting with probation officer, no new credit, no self-employment
05 or employment by relatives or friends unless approved by probation officer, no employment for
06 cash, and provide regular pay stubs to probation officer. (Dkt. 30, 44.)

07 The conditions of supervision were modified on January 20, 2006 to specify that the drug
08 testing would consist of one test within 15 days of being placed on supervised release and between
09 two and eight tests per month, in accordance with *United States v. Stephens*, 424 F.3d 876 (9th
10 Cir. 2005). (Dkt. 55.)

11 In an application dated February 27, 2006 (Dkt. 56), U.S. Probation Officer Michael J.
12 Larson alleged the following violations of the conditions of supervised release:

13 1. Using cocaine on or about February 5, 2006 and February 6, 2006 in violation of
14 standard condition number seven.

15 2. Possessing cocaine base on or about February 24, 2006 in violation of standard
16 condition number seven.

17 3. Possessing marijuana on or about February 24, 2006 in violation of standard
18 condition number seven.

19 4. Committing the crime of Possession with Intent to Distribute Cocaine Base on or
20 about February 24, 2006, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B); and the mandatory
21 condition of supervised release requiring he not commit another federal, state or local crime.

22 Defendant was advised in full as to those charges and as to his constitutional rights.

01 Defendant admitted alleged violations 1, 2, and 4, and waived any evidentiary hearing as
02 to whether they occurred. (Dkt.66). The government moved to dismiss violation number 3.

03 I therefore recommend the Court find defendant violated his supervised release as alleged
04 in violations 1, 2, and 4, dismiss violation number 3, and conduct a hearing on the issue of
05 disposition. The next hearing will be set before Judge Coughenour at the same time as the
06 sentencing hearing on Case No. CR 06-107.

07 Pending a final determination by the Court, defendant has been detained.

08 DATED this 23rd day of February, 2007.

09 

10 Mary Alice Theiler
11 United States Magistrate Judge

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13 cc: District Judge: Honorable John C. Coughenour
14 AUSA: John J. Lulejian
15 Defendant's attorney: Anna M. Tolin
16 Probation officer: Michael J. Larson
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